

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 05-30032-MAP
)	
LUZ TORRES,)	
GABRIEL ORTIZ,)	
and)	
LUIS RIVERA,)	
Defendants.)	

THE GOVERNMENT'S MOTION FOR AN ORDER OF EXCLUDABLE DELAY
(Assented to)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully moves for an order of excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h), from January 5, 2006 until the next date scheduled by the Court. In support of this motion, the Government states that both Attorney Mark Mastroianni (counsel for Luis Rivera) and Attorney Lori Levinson (counsel for Gabriel Ortiz) were unavailable for the pretrial conference on January 5, 2006. Since both counsel have spent significant time reviewing the evidence in the above-captioned case, and preparing the case for resolution, continuity of counsel is an important consideration that outweighs the speedy trial concerns for this time period. See 18 U.S.C. § 3161(h)(8)(B)(iv). It is in the best interests of the Defendant, the government, and the public, to exclude the time from January 5, 2006, until the next scheduled date for pretrial conference from the period within which the trial of this case must commence under the Speedy Trial

Act.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Paul Hart Smyth

Paul Hart Smyth
Assistant U.S. Attorney

Dated: January 8, 2006

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
January 9, 2006

I, Paul Hart Smyth, Assistant U.S. Attorney, do hereby
certify that I have served a copy of the foregoing to all counsel
of record.

/s/ Paul Hart Smyth
Paul Hart Smyth
Assistant U.S. Attorney